IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

APPEAL NO. 650 OF 1995
IN
NOTICE OF MOTION NO.2830 OF 1991
IN
SHORT CAUSE SUIT NO.1055 OF 1989

Anita Sohanlal Ghai & ors. .. Appellants

v/s.

Snehalata wd/o Sohanlal Ghai alias
Sohanlal Bansiram Kanwar & ors. .. Respondents

Mr.M.M.Vashi i/by M/s.Little & Co. for the appellants.

Mr.Sanjay Jain i/by M/s.A.Rathod & Co. for the respondents.

CORAM : R.M. LODHA AND
J.P. DEVADHAR, JJ.

DATED : 27th June, 2005

P.C.

After arguing the appeal for some time, the learned counsel appearing for the appellants (original defendant Nos.1,2 and 5) and the learned counsel for the respondent Nos.1,2 and 3 (original plaintiffs) agreed that the merits of the diverse contentions raised in the appeal need not to be examined and hearing of the suit be expedited.

2. The suit pertains to the year 1989 and it is already pending in this court for about 16 years. At this distance of time, the prayer of the learned counsel for the plaintiffs as well as the defendant Nos.1,2 and 5 that hearing of the suit be expedited, is reasonable.

3. We, accordingly, dispose of the appeal by the following order:-

(i) Haring of S.C.Suit No.1055 of 1989 is expedited. We request the learned trial Judge to hear and decide the aforementioned suit expeditiously and if possible, within six months from today.

(ii) The contentions of the parties in the suit are kept open to be decided on its own merits. Any observation made by the learned motion Judge in the impugned order dated April 25, 1995 shall not influence the decision of the suit on merits at all.

No costs.

(R.M.LODHA, J.)

(J.P. DEVADHAR, J.)